



1171082

Kathleen Neel – Summit County Recorder

**KEYSTONE SCIENCE SCHOOL  
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as The Keystone Science School PUD is approved this 26 day of June, 2007, and modified this 8th day of May, 2018, by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County," for certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "Property." This designation establishes the general uses which shall be permitted on the Property, a general development plan and a statement of development guidelines and conditions which must be adhered to by The Keystone Science School hereinafter referred to as the "Owner/Developer" and/or "KSS". This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the Owner/Developer.

**A. SCOPE AND INTENT OF KSS OPERATIONS, PERMITTED USES AND DEVELOPMENT PLAN**

Use and development of the property shall be in general compliance with the Development Plan attached hereto as Exhibit B, and the following requirements:

**1. Purpose and Intent**

The express purpose and intent of this Designation is to foster a supportive environment for the development and utilization of the subject Property specifically to enable KSS to continue its current operational mission and vision as a private, non-profit educational institution dedicated to non-biased scientific education. Accordingly, for the purposes of this Designation, the broad overall goals of the KSS vision are contemplated and reflected herein, as follows:

Keystone Science School inspires curiosity and critical thinking through the lens of science to change lives and strengthen communities. We create future leaders who can problem solve and work together in an ever-evolving world and workplace environment.

Should the Property be conveyed to another entity, and/or the general focus or mission of KSS or any successor owner or entity associated with the KSS and the Property be altered or redirected in any substantial manner, it is expressly understood that any new development shall remain subject to review under the general purpose and intent articulated herein; or the PUD Designation changed to properly reflect such new focus or vision. Moreover, it is expressly understood by the parties that Summit County adopts this Designation specifically in consideration of the purpose and vision of KSS as it presently exists and operates, and accordingly, the County, by and through its Board of County Commissioners, reserves all rights to unilaterally modify this Designation as necessary should such KSS institutional focus change in nature or purpose.

**2. Development Plan and Permitted Structures; Size and Use Limitations**

(Existing Development of the Property shall be in accordance with the attached General Development Plan attached hereto as Exhibit B), and incorporated herein as if referenced in full ("Plan"). Said plan is a reflection of existing improvements to the Property, and this PUD shall expressly allow for such existing structures and further permit development of other structures and facilities on the property related to the school functions. In accordance with that Plan, the following uses and improvements are specifically contemplated:

- a. Institutional facilities and uses associated with the KSS operations, as a private, non-profit educational institution, including without limit administration buildings, classrooms, indoor and outdoor teaching spaces and facilities, dormitories, and kitchen and dining facilities.
- b. Faculty and staff housing, in single unit and/or multi-unit structures for use by The Keystone Science School staff and faculty as contemplated herein, and deed restricted as such.
- c. Recreational facilities and uses related to the Keystone Science School.
- d. Private Open Space and trails
- e. Maintenance facilities, including equipment storage and parking areas.
- f. Other uses similar in nature or accessory to the listed permitted uses, or any such uses as otherwise permissible by means of the proper application of the Summit County Land Use and Development Code (“Code”) to the subject Property.
- g. Donor and alumni events

### **3. Animal Keeping**

Animal keeping, other than for domestic animals, shall be prohibited, except that animals used for educational purposes shall be allowed on a temporary basis.

### **4. Density**

#### **A. Keystone Science School Facilities**

KSS shall be allowed to develop the property in accordance with the scope and purpose of the KSS as articulated herein, and may develop and maintain a overall maximum square footage of all structures of 60,000 square feet, provided all such new or existing structures maintain compliance with Development Plan and the Code. All such facilities as necessary, provided the same are tied to the KSS institutional uses, are contemplated under this PUD.

#### **B. Residential Uses**

Residential uses on the property shall be limited only to faculty and staff housing as described below. Any and all other existing residential density, actual or inchoate, shall be extinguished or transferred off the Property no later than December 31, 2018, with KSS and Summit County proceeding collaboratively to accomplish such measure.

### **5. Faculty and Staff Housing**

- A. This PUD designation allows for, and encourages, the development of faculty and staff housing units as part of the overall development of the KSS Property. This Designation specifically recognizes the unique nature of the staffing of the school on a seasonal or program oriented basis, and the wide array of faculty and staff relationships necessarily associated with such operations. Accordingly, a faculty/staff unit shall be considered as such if it remains owned or managed by the KSS for said specific purposes of housing KSS faculty and staff on a seasonal, temporary program basis, or long term basis,, and it is not available for sale or occupancy to the general public. KSS and the County shall execute and record a general covenant between the Owner/Developer and the County which provides such a restriction for all such faculty/staff units concurrent with the site plan review of any proposed unit.

B. The KSS Faculty Housing will be developed in a dormitory style design, to maximize efficiency and affordability to occupants. Accordingly, said Faculty Housing units are exempt from the minimum size requirements stated in the definition of Family in Chapter 15 of the Code, and all other similar restrictions in the Code. In lieu of such requirements, the following standards shall be applied to all faculty housing developed by KSS subsequent to the date of this PUD Amendment:

- i. Each dormitory structure shall contain at least 200 square feet per occupant of said structure, including bedroom space, kitchen and bathroom space, and other common living space, such as lounge rooms, laundry rooms and the like, contained within said structure. Such average square footage per person shall be calculated by measuring the overall square footage of the structure and dividing it by the number of occupants.
- ii. KSS shall further, at all times, maintain use and access for any such faculty housing occupant use of the common facilities at KSS, such as the cafeteria, including the kitchen and certain kitchen equipment, common facilities such as computer rooms and labs, libraries, lounge rooms, laundry facilities, storage facilities, and other such common use facilities throughout the KSS complex.

## **B. DEVELOPMENT STANDARDS**

### **1. Building Height**

Building heights shall be a maximum of 35 feet as defined in the Summit County Land Use & Development Code, as currently in effect or hereafter amended.

### **2. Setbacks**

Front Setback: 25' For the purposes of the Keystone Science School, the front setback shall be defined as any area that lies adjacent to a public right of way.

Side Setback: 20'

Rear Setback: 25' For the purposes of the Keystone Science School, the rear setback shall be defined as the area adjacent to the northern property line.

### **3. Parking**

#### **A. Keystone Science School Operations**

1. The Keystone Science School has a designated Parking area that provides no less than 50 parking spaces to serve the Property and KSS Operations as currently developed. The Development Plan attached hereto as Exhibit B also reflects a new parking facility and plan for KSS that will be built no later than 2022, or earlier if necessitated by means of any site plan review of new development by KSS at the Property.
2. The subject parking facilities may be surfaced with recycled asphalt or some other unpaved but improved and approved surfacing material, or may be paved.

At no time shall the Keystone Science School provide fewer than 50 parking spaces. The parking requirement shall be analyzed with every site plan review and shall be based on the parking requirements stipulated in Fig. 3-10 of the Summit County Land Use and Development Code. Where uses are not expressly listed in said figure, the applicant may be required to provide a parking study justifying that the proposed number of parking spaces are appropriate for the

intended uses.

**B. Special Event Parking:**

KSS shall maintain a special event parking plan that addresses the following items, at a minimum:

1. Overflow parking for special events;
2. Shuttle and bus service for special events;
3. Managed parking efforts for special events;
4. Emergency ingress and egress for special events, in terms of both access for emergency service providers, and access to vehicles as well as ingress and egress for all special event attendees, and KSS faculty and staff.

The Special Event Parking Plan shall be submitted to the Summit County Planning Department for administrative review prior to recordation of the PUD, and shall be resubmitted for administrative review in the event of any proposed modification to the plan.

**4. Designated Open Space Areas/Public Use Areas**

**A. Open Space Areas**

Due to the nature of the Keystone Science School, as a learning center, where open space is utilized by the center as a learning tool, no public open space shall be dedicated as a component of this PUD.

Nevertheless, the open meadow area as designated on the Development Plan attached hereto as Exhibit B, which presently exists as a key operational component of the Science School, shall be maintained as private open space managed by KSS, and constrained from any development or permanent improvements, except such improvements as are necessary to support the direct operational uses upon such meadow area. Such uses shall include active and passive recreation, storage of equipment necessary for KSS operations, camping and camp fires, retreats, and any other reasonable uses that meet the above referenced constraints.

**B. Trails**

Due to the requirement for the safety and security of the students, trails for public use will not be provided. The only exception being the existing trail in the north east corner of the site as indicated in the attached Exhibit B. The trail shall be dedicated prior to the recordation of the PUD. The dedication of the trail will be in lieu of the Public Use Area Fee for the nine single-family residences pursuant to section 8601 of the Summit County Land Use and Development Code. Notwithstanding the foregoing, it is expressly contemplated herein that KSS may make private trail improvements in any location within the Property for the use of KSS in its operational programs; provided, however, that such trails shall not violate any development constraints or limitations as set forth in this Designation or the Code.

**5. Wetlands**

No soil disturbance shall be permitted within any wetlands area designated on the Property. Any soil disturbance within a twenty-five (25) foot wetland setback from any wetlands so designated shall only be permitted as allowed for under the Code and subject to the mitigation requirements articulated therein. Notwithstanding the foregoing, it is expressly acknowledged that two

structures (generally referenced as the Levy Ptarmigan Cabin and the structure northwest of the Levy Ptarmigan Cabin), as indicated on the Development Plan (Exhibit B) may remain in their current location. However, no additions shall be permitted to these structures unless the addition is completely outside of the 25-foot wetlands setback, and no renovations or replacement of such cabins shall exceed the existing setbacks encroachments as presently exist, in terms of total area affected, unless a wetlands setback encroachment is first permitted in accordance with the Code.

**6. Signs**

All signs shall comply with the Summit County Sign Regulations as now in effect or hereafter amended.

**7. Site Plan Review**

The project shall comply with Section 12600 of the Summit County Land Use and Development Codes.

**8. General Building Design Standards:**

All new development within this PUD shall comply with the design standards set forth in the Summit County Land Use and Development Code, as currently in effect or hereafter amended. All new development shall consider the design standards reflected in the Snake River Master Plan. Compliance with the design standards incorporated into this Designation shall be considered during any site plan review for development within the PUD.

**A. Keystone Science School**

Buildings developed for the Keystone Science School shall strive to maintain the rustic character of the center, and shall be primarily natural or naturally appearing materials, with sloped roofs (greater than a 4/12 pitch) when practicable. New development shall be designed to fit with historical architectural themes. Preservation of historic structures is encouraged when possible and practical. KSS will make reasonable efforts to incorporate historic structures into new development when possible and practical.

**B. Green Building Standards**

New buildings developed for the Keystone Science School shall make reasonable efforts to incorporate green building technologies, products, and practices, which conserve water and energy, reduce resource depletion and pollution, and protect indoor air quality.

**9. Landscaping**

Landscaping shall comply with the applicable sections of the Summit County Land Development Code, as currently in effect or hereafter amended. All areas disturbed by construction shall be revegetated with a Summit County native grass seed mix, or returned to a natural state, and be free of weeds, as identified by the County as invasive, noxious, or otherwise, nuisance weed species prior to the issuance of a Certificate of Occupancy.

**10. Development Schedule**

The Keystone Science School is an existing facility that will redevelop to improve its existing site over time. As a private non-profit educational institution, the actual timing of redevelopment and additional facilities is dependent upon contributions and enrollment and demand, and thus no specific development schedule has been specified.

Prior to approval of a site plan for the Dining Hall and the Porcupine Cabin, as depicted in the Development Plan (Exhibit B), the property owner shall ensure that such structures are not built over the existing water lines. If necessary, the water line as depicted in the Development Plan, must be abandoned or relocated within an easement.

Prior to issuance of a certificate of occupancy for the Administration Building or the Learning Center, the owner/ developer shall be required to bury all overhead utility lines for that particular Development, and put forth a plan for the burial of all lines related to all new site improvements over the course of such development, as well as potential efforts and timing to achieve all undergrounding of such utility lines over time.

### **C. REQUIRED IMPROVEMENTS**

#### **1. Access**

Access to the Keystone Science School shall be provided off of Soda Ridge Road. All roads and driveways shall comply with applicable sections of the Summit County Land Use and Development Code.

#### **2. Water Systems**

Water supply shall be via a central water system provided by The Snake River Water District. However, it is recognized that existing and long standing well rights may be retained to support KSS operations as permitted by any such well permits.

#### **3. Sewer Systems**

Sanitary Sewer service for the development shall be provided by The Snake River Waste Water Treatment Plant.

#### **4. Fire Protection**

The entire property is located within the Summit Fire and EMS Authority. All development on the property shall meet all fire protection requirements of the District.

#### **5. Utilities and Easements**

All new utility lines shall be installed in full accordance with the standards of each utility provider and Summit County Subdivision Regulations. Easements shall be provided for all utilities and shall be shown on a plat or site plan for the property, as appropriate, and reflected by effective means in the property records of the Summit County Clerk and Recorder.

### **D. GENERAL PROVISIONS**

#### **1. Enforcement**

The provisions of the planned unit designation and the development plan relating to the use of land and the location of common open space shall run in favor of Summit County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law. Other provisions of the planned unit development designation and the development plan shall run in favor of the residents, occupants and owners of the planned unit development, but only to the extent expressly provided in, and in accordance with the terms of, the planned unit development designation and the development plan. Provisions not expressly stated as running in favor of the residents, occupants or owners of the planned unit development shall run in favor of the County.

**2. Breach of Provisions of PUD Designation**

If at any time, any provision or requirements stated in the planned unit development designation has been breached by the Owner/Developer, the County may withhold approval of any or all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for on the Property, until such breach has been remedied; provided, however, that the County shall not take affirmative action on the account of such breach until it shall have first notified the Owner/Developer in writing and afforded the Owner/Developer a reasonable opportunity to remedy the same.

**3. Binding Effect**

The PUD Designation shall run with the land and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof, with the exception that provisions of this designation may be modified through an amendment in accordance with the procedure stated in the County Development Review Procedures. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

**4. Amendments**

Amendments to the provisions of a planned unit development designation shall be reviewed and acted upon as a rezoning application, subject to the County's procedures for zoning amendments and to the requirement for findings under the Planned Unit Development Act of 1972 at CRS 24-67-106(3)(b).

**5. Notices**

All notices required by this designation shall be in writing and shall be either hand-delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County:

Board of County Commissioners  
P.O. Box 68  
Breckenridge, CO 80424

Notice to Owner/Developer

Keystone Science School  
1053 Soda Ridge Road  
Keystone, CO 80435

All notices so given shall be considered delivered three days after the mailing thereof. Either party, by notice so given, may change the address to which future notices shall be sent.

**6. Entire Designation**

This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to the Keystone Science School Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Summit County Land Use and Development Code and the Colorado Planned Unit Development Act (CRS 24-67-106) for amending planned unit developments, and except that nothing contained herein shall be construed as waiving any requirements of the Summit County Land Use and Development Code or other regulations otherwise applicable to the development of the Property.

**7. Effective Date**

This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The "Effective Date" shall be the date of such recordation.

**8. PUD Review Requirements**

The Summit County Land Use and Development Code, Chapter 12, includes procedures and requirements for review of all Planned Unit Developments. The Owner/Developer shall be on notice of these requirements and their potential impact should new design guidelines be established.

IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first written above.

BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

/S/ THOMAS A. LONG  
Thomas A. Long, Chairman  
Summit County BOCC

ATTEST:

/S/ CHERI BRUNVAND  
Cheri Brunvand, Clerk and Recorder

/S/ KEYSTONE SCIENCE SCHOOL DIRECTOR  
Keystone Center and Science School Director



APPROVAL OF AMENDMENTS

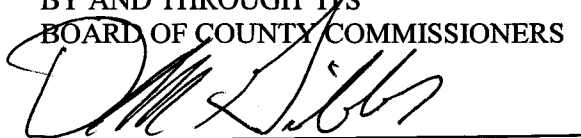
The foregoing document is the Keystone Science School Development Designation as originally approved and signed by the Summit County Board of County Commissioners on the 6th day of June 2007 and recorded at Reception Number 863960 as amended by the Summit County Board of County Commissioners as follows:

<u>Resolution Number</u>	<u>Resolution Reception Number</u>	<u>PUD Reception Number</u>
18-29	1171081	

The Keystone Science School Development Agreement signed the 6<sup>st</sup> day of June, 2007 and recorded at Reception Number 863960 and revised to incorporate the amendments approved as noted above shall remain in force as revised. The foregoing document is issued as a continuation of the original document. Copies of the original Agreement and the amendment noted above are available from the Summit County Clerk and Recorder.

Adopted this 8<sup>th</sup> day of May, 2018.

COUNTY OF SUMMIT  
STATE OF COLORADO  
BY AND THROUGH ITS  
BOARD OF COUNTY COMMISSIONERS

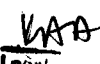


Dan Gibbs, Chair

ATTEST:



Kathleen Neel, Clerk and Recorder

Approved on  
by  
  
Legisl

# Exhibit A

## Attachment 1

### Legal Description

A PARCEL OF LAND BEING COMPRISED OF A PORTION OF GOVERNMENT LOTS 7, 10, 17 AND THE S ½ OF THE NE ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 77 WEST OF THE 6<sup>TH</sup> PRINCIPAL PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE U.S.B.L.M. AP3, A STANDARD ALUMINUM CAP MONUMENT, ON THE BOUNDARY COMMON TO GOVERNMENT LOTS 17 AND 18 BEARS S 31° 02' 23" E, 65.52 FEET DISTANT; THENCE N 31° 02' 23" W, 998.40 FEET; THENCE N 49° 00' 08" E, 389.86 FEET TO A POINT ON THE HIGH BANK OF THE SNAKE RIVER; THENCE ON SAID HIGH BANK FOR THE FOLLOWING NINE COURSES:

- 1.) S 72° 51' 22" E, 116.90 FEET;
- 2.) S 86° 31' 19" E, 83.50 FEET;
- 3.) N 84° 07' 22" E, 182.65 FEET;
- 4.) S 86° 50' 59" E, 48.94 FEET;
- 5.) S 73° 50' 39" E, 80.45 FEET;
- 6.) S 50° 31' 56" E, 80.82 FEET;
- 7.) S 62° 44' 23" E, 129.97 FEET;
- 8.) S 81° 43' 02" E, 75.62 FEET;
- 9.) N 86° 21' 57" E, 175.01 FEET;

THENCE S 08° 02' 31" E, 837.47 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF KEYSTONE RANCH ROAD; THENCE ON SAID RIGHT-OF-WAY FOR THE FOLLOWING TWO COURSES:

- 1.) 149.75 FEET ON THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 487.47 FEET, AN INTERIOR ANGLE OF 17° 36' 03" AND A CHORD THAT BEARS S 74° 14' 31" W, 149.16 FEET DISTANT;
- 2.) S 88° 02' 36" W, 669.43 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINS 1,026,964 SQUARE FEET OR 23.576 ACRES, MORE OR LESS.

THE BEARING BASE IS THE LINE BETWEEN THE S 1/16 OF SECTIONS 22 & 23, A STANDARD U.S.B.L.M. ALUMINUM CAP MONUMENT AND THE SE 1/16 OF SECTION 22, A STANDARD U.S.B.L.M. ALUMINUM CAP MONUMENT. THE BEARING OF SAID LINE IS N 89° 53' 24" W.

SCHOOL TRACT JOB #1332 DAL 07/16/92

PREPARED BY: BASELINE SURVEYS INC., P.O. BOX 7578, BRECKENRIDGE, CO 80424 (303) 453-7155

# Exhibit B

